

REPORT: FE-05-97

RAILROAD: Consolidated Rail Corporation (CR)

LOCATION: Burns Harbor, Indiana

DATE, TIME: Feb. 2, 1997 at 9:55 p.m., EST

PROBABLE CAUSE:

The Yard Conductor was fouling Track No. 7 when he was struck by freight cars during a shoving movement.

EMPLOYEE:	Craft.....	Transportation
	Activity.....	Switching
	Occupation.....	Yard Conductor
	Age.....	54 years
	Length of Service.....	27 years
	Last Rules Test.....	Jan. 29, 1996
	Last Safety Training.....	Jan. 29, 1996
	Last Physical Exam.....	Jan. 31, 1992

Circumstances Prior to the Accident

TRAIN WDBH-63 (Job 63)

After having received the required statutory off-duty period, a Train Crew, comprising a Yard Conductor, Yard Brakeman, and Locomotive Engineer, reported for duty at 6 p.m., Feb. 2, 1997, at the CR Yard Office in Burns Harbor, Indiana. The employees were assigned to work on Job 63. They received a job briefing and were instructed on the Safety Rule of the Day by the Trainmaster on duty, whereupon they departed the yard office and began to switch cars in the yard.

This assignment required the employees to switch out and classify cars in the yard, and deliver, pull, and spot cars at the Midwest Steel Company and the Bethlehem Steel Company. The employees started their tour of duty by switching out cars in the classification yard and making up a small train for the Midwest Steel Company. They then delivered and pulled cars at that location. The employees had returned to the yard with several cars when they were contacted by the Trainmaster who wanted to know their location and progress. The Trainmaster

instructed the Crew to finish switching the cars from the Midwest Steel Company, and return to the yard office via the lead track for further instructions.

In the accident area, timetable directions were east and west. Burns Harbor Yard consisted of 21 tracks and the method of operation was NORAC Operating Rule 80 which stated:

Movements made at Restricted Speed must apply the following requirements as the method of operation:

- (1) Control the movement to permit stopping within one half the range of vision short of obstructions; and
- (2) Do not exceed the maximum speed prescribed by Timetable or other written directives, not exceeding 20 mph outside interlocking limits and 15 mph within interlocking limits.

Burns Harbor Yard was located at the CR's Dearborn Division, on the Chicago Line between CP 483 and CP 487. CR Timetable No. 4's Special Instructions designated Burns Harbor Yard as a "restricted speed area," where speeds must not exceed 10 mph. The accident area was well lit with an arrangement of 12 large pole lights spaced 85 feet apart along the lead track. Lead Track No. 324 extended from east to west and turned onto Track No. 624 as it extended past the yard office. There were 19 tangent, parallel tracks, utilized as classification and repair tracks, and all tracks were accessible off of the lead.

The Conductor was working near the north rail of Track No. 607 (also called Track No. 7), approximately 295 feet west of the switch controlling the entrance to the track.

The weather conditions were clear. The ambient temperature was 30° F.

TRAIN WDBH-61 (Job 61)

After having received the required statutory off-duty period, a Train Crew, comprising an Engineer, Conductor, and Brakeman, reported for duty at 6:30 p.m., on Feb. 2, 1997, at CR Burns Harbor Yard. The Train Crew received a job briefing and the Safety Rule of the Day was discussed. The Job 61 Crew was assigned to pull 28 hoppers from Bethlehem Dumper, and place them on Track No. 15 in the yard. The Crew was assigned to switch the Midwest Steel Company and then switch Track No. 2 in the yard to make up Train "BHEL" (Burns Harbor-Elkhart).

The Job 61 Crew completed their first two assignments at 9:30 p.m. and then went to the yard office at Burns Harbor for further instructions. The Crew was next assigned to get 21 cars out of Track No. 7 and take them to the Bethlehem Steel Company. The Crew left the yard office, tied onto the cars on Track No. 7, and proceeded east out of the yard toward the Bethlehem Steel Company. When the Crew Members arrived at the Bethlehem Steel Company, the Conductor

noticed that they did not have all of their cars. He notified the Burns Harbor Yardmaster, and requested that he be allowed to return to the yard to retrieve the remaining cars.

While the Job 61 Crew Members were returning from the Bethlehem Steel Company, they were notified by the Trainmaster that the Job 63 Crew was going to be in the yard, and would be in the clear on the lead in front of the yard office.

At 9:40 p.m., the Job 61 Crew again coupled onto the cars on Track No. 7. The Conductor instructed his Brakeman on how he wanted the cars switched and told him to pull pins and operate the switches. It was at this time that the Conductor noticed the Job 63 Crew switching cars onto Track No. 24.

At approximately 9:50 p.m., the Job 61 Conductor observed the Job 63 Conductor standing just north of Track No. 8 and just south of where the locomotives were parked on the lead track. The Job 61 Conductor walked over to the Job 63 Conductor and told him he would be out of his way in about five minutes. He then left and proceeded to walk south toward Track No. 8 to continue switching cars.

The Conductor for Job 63 waited for the Job 61 Crew to finish switching and making up their outbound train on Tracks Nos. 7 and 8 in the yard. While waiting, he informed his Brakeman of the conversation with the Conductor for Job 61, and told his Brakeman that he could wait on the locomotive until he was needed. The Brakeman then boarded the locomotive.

The Accident

As the Job 61 Crew was shoving cars west onto Track No. 7 at a recorded speed of 11 mph, the Brakeman for Job 63 was seated in the cab of the locomotive that was parked on the lead. He looked out the cab window of the locomotive and noticed that his Conductor was standing next to Track No. 7. The Conductor appeared to be studying his work order and periodically looked in a westward direction toward the yard tracks. While the Brakeman was observing his Conductor standing next to Track No. 7, he caught a glimpse of a cut of cars moving west. In the next moment, he witnessed the west car strike his Conductor who was standing just north of the north rail on Track No. 7.

Upon witnessing the impact, the Brakeman for Job 63 initiated an emergency distress call to the Engineer for Job 61. He made several transmissions on his radio before he realized that he was transmitting on Channel Three, and that the Job 61 Crew was working on Channel Two. He switched to Channel Two, made several more transmissions using the distress call of "Emergency," and told the Engineer for Job 61 to stop his train.

The Engineer for Job 63 stood up and looked out of the window as his Brakeman left the locomotive. He observed a cut of cars moving west onto Track No. 7 and observed cars rolling over his Conductor. The Engineer could see the Conductor trying to kick away from the cars

that were rolling over him. The Engineer grabbed his radio and started transmitting the distress call "Emergency." After he received an acknowledgment over the radio from the Engineer for Job 61, he immediately alighted from the locomotive and headed toward the scene of the accident.

At 9:55 p.m., the second and third trick Trainmasters were in the process of a shift change. Both Trainmasters overheard several distress calls on radio channels two and three. The second trick Trainmaster was looking out of a large plate glass window overlooking the yards, and observed cars in movement from east to west, but his view was obstructed by the two locomotives parked in front of the yard office. He immediately radioed the Engineer of the Job 61 Crew, instructing him to stop his train. Both Trainmasters then departed the yard office and proceeded toward the scene of the accident.

The Engineer for Job 61, after hearing emergency transmissions followed by instructions to stop his train, brought his locomotive to a stop 390 feet west of the accident site.

At 9:56 p.m., the Yard Clerk at Burns Harbor, overhearing the radio transmissions between the yard office and the Crew Members of Jobs 61 and 63, telephoned the Bethlehem Steel Company's emergency response center and requested emergency assistance. An ambulance was immediately dispatched from the Bethlehem Steel Company, arriving at the scene at approximately 10 p.m. The ambulance transported the injured Conductor to Porter Memorial Hospital, Valparaiso, Indiana, arriving there at 10:38 p.m. After repeated attempts by Porter Memorial Hospital personnel to save the injured Conductor, he died at 12:20 a.m. on Feb. 3, 1997.

Please see the attached five diagrams of the Burns Harbor Yard to better visualize the accident scene and chain of events leading up to the fatality.

Post-Accident Investigation

Evidence indicates that the Conductor for Job 63 was fouling the north rail of Track No. 7 when he was knocked down by the lead car of a 15-car cut that was being shoved westward onto Track No. 7 by the Job 61 Crew. The Conductor was run over by four freight cars and dragged approximately 30 feet.

According to the Brakeman for Job 63, who was the only person to witness the accident, the Conductor for Job 63 was standing just north of Track No. 7, and appeared to be glancing down at his work order. At the same time, he was looking westward and did not appear at any time to look in the direction of the oncoming cars rolling toward him on Track No. 7.

The Engineer for Job 63 said the last time he observed the Job 63 Conductor was just moments prior to the accident, when the Conductor had crossed in front of the locomotives in a southward direction. The Engineer stated that he was not in a position to observe where the Conductor was standing at the time of impact. He stated that he was startled by the actions of his Brakeman,

who suddenly stood up from his seat in the locomotive and rushed out the door, shouting “Emergency, Emergency!” The Engineer stated that as the Brakeman was departing the cab of the locomotive, he (the Engineer) stood up and looked out of the window and saw his Conductor being run over by several cars that were rolling westward on Track No. 7.

The Conductor and Brakeman for Job 61 said they were walking along the north side of the lead, east of Switch No. 6, while their train was being shoved west onto Track No. 7. During this time, they heard emergency radio transmissions, followed by instructions being relayed to their Engineer for Job 61 to stop his train. The Conductor for Job 61 said the last time he saw the Conductor was just moments before the accident when he had a brief conversation with him. He said the Job 63 Conductor was standing just south of the locomotives that were sitting in front of the yard office on the lead. The Job 61 Conductor said he had walked over to where the Job 63 Conductor was standing and had notified him that he would be out of his way in five minutes. The Job 61 Conductor also stated that just prior to making the reverse movement onto Track No. 7, he again looked to see if the track was clear. He did not see any sign of the Job 63 Conductor at that time.

The Engineer for Job 61 said he was instructed to make a reverse movement onto Track No. 7, a clear track, to pick up his Crew Members. The Engineer stated that while shoving his train, he heard several different emergency transmissions over the locomotive radio and was instructed to stop his train. He stated that he was traveling at about 10 mph and had initiated an emergency air brake application. The Conductor for Job 61 said that at the time of the accident, the train was shoving 21 cars onto Track No. 7, which was thought to be a clear track.

A physical check of the cars on Track No. 7, immediately following the accident, revealed that the Job 61 Crew had shoved 15 cars of their 21-car train westward onto Track No. 7. The physical check also indicated that at the time of the accident, Track No. 7 contained six cars which previously had been switched by the Job 61 Crew. Evidence indicated that the 15th car (OTTX 91321EF) had struck the Conductor for Job 63, knocking him down and dragging him 30 feet. Four freight cars then ran over him, resulting in his death.

The Job 61 Engineer, Conductor, and Brakeman were tested, using Federal forms and authority. Tissue samples from the remains of the Job 63 Conductor were also tested. FRA’s investigation revealed that CR could not utilize Federal authority because testing took place before it would have been a qualifying event (the Conductor was still alive). Therefore, FRA was compelled to cancel all testing due to errors in authority for collection and numerous errors in documentation. Toxicological testing was also performed on the deceased by the Porter County Coroner’s Office and the specimens were sent to Great Lakes Laboratories. The results were negative.

MOVEMENT OF TRAIN
WEST INTO #7 TRACK

CAR #5		CAR #4		CAR #3		CAR #2		CAR #1
	B	A	B	A	B	A	B	A
ONE 657-F FM		MP-819874-F	FM	MP-819987-F	LOFT	MP-819725-F	LOFT	OTX-91321-F
T- 9-75	LOFT	BLT- 6-74	LOFT	BLT- 8-69		BLT- 6-76		BLT- 12-65
30		ABD		ABD		ABD		AB
WT 67100		LT WT - 71100		LT WT 72100		LT WT - 71800		LD 1MT - 150580

INJURED
Employee
Found

POINT OF
CONTACT

CAR-INSPECTION
REPORT MADE OUT
ON - OTX 91321 ONLY

- 101

BREWHARBOR. 2/3/97
WDBH-61
TRK #7

X indicates Hose Coupled
— indicates Hose NOT Coupled.

N

	CAR #7	CAR #8	CAR #7	CAR #6
Eng 1694	BN-565564-G-e	BN-614295	IHB-2100	IHB-18191-FG
	BLT-3-72	BLT-12-65	BLT-8-59	BLT-1-77
	LT-WT-60400	RCD-11-78	RCD-4-79-CR-AC	ABD-
		ABD	AB	
		LTWT-75300	LT-WT-6200	

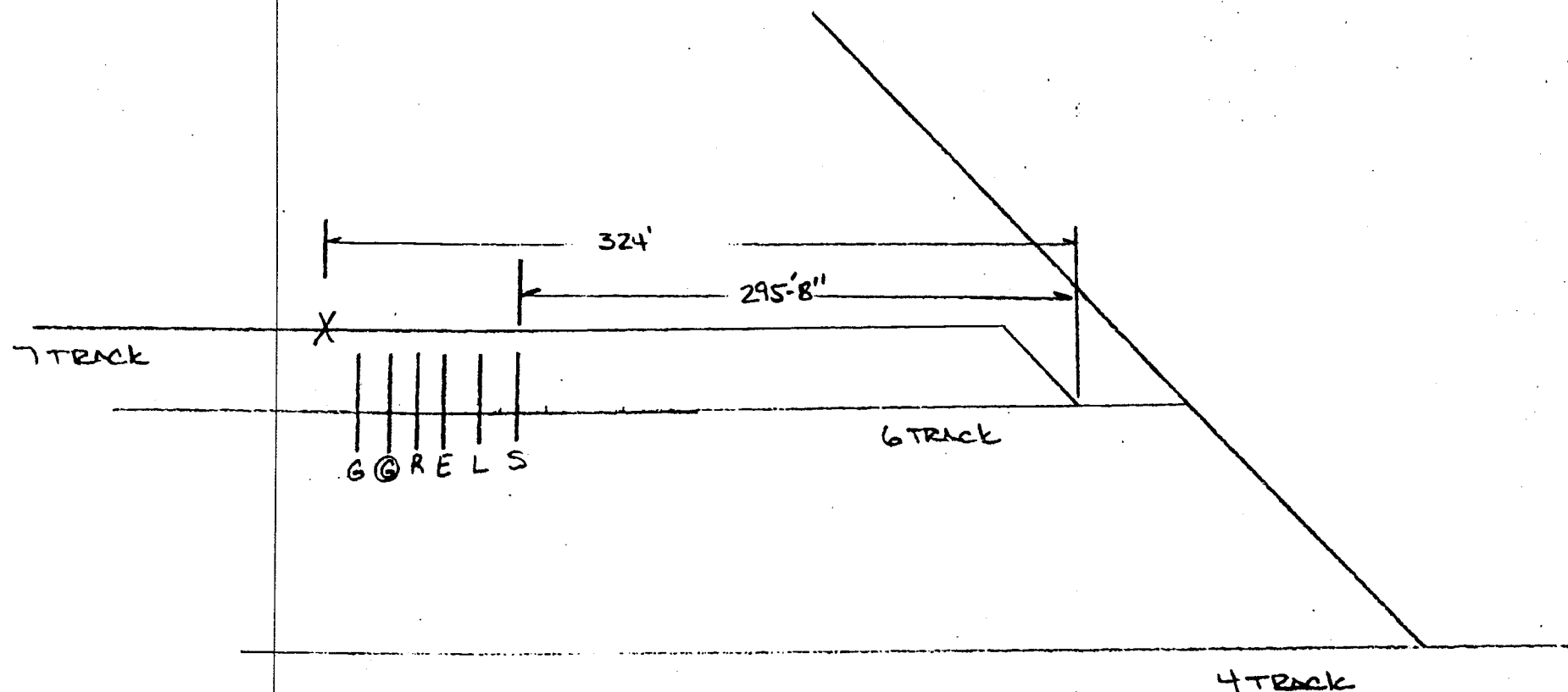
E

101

YARD
Office

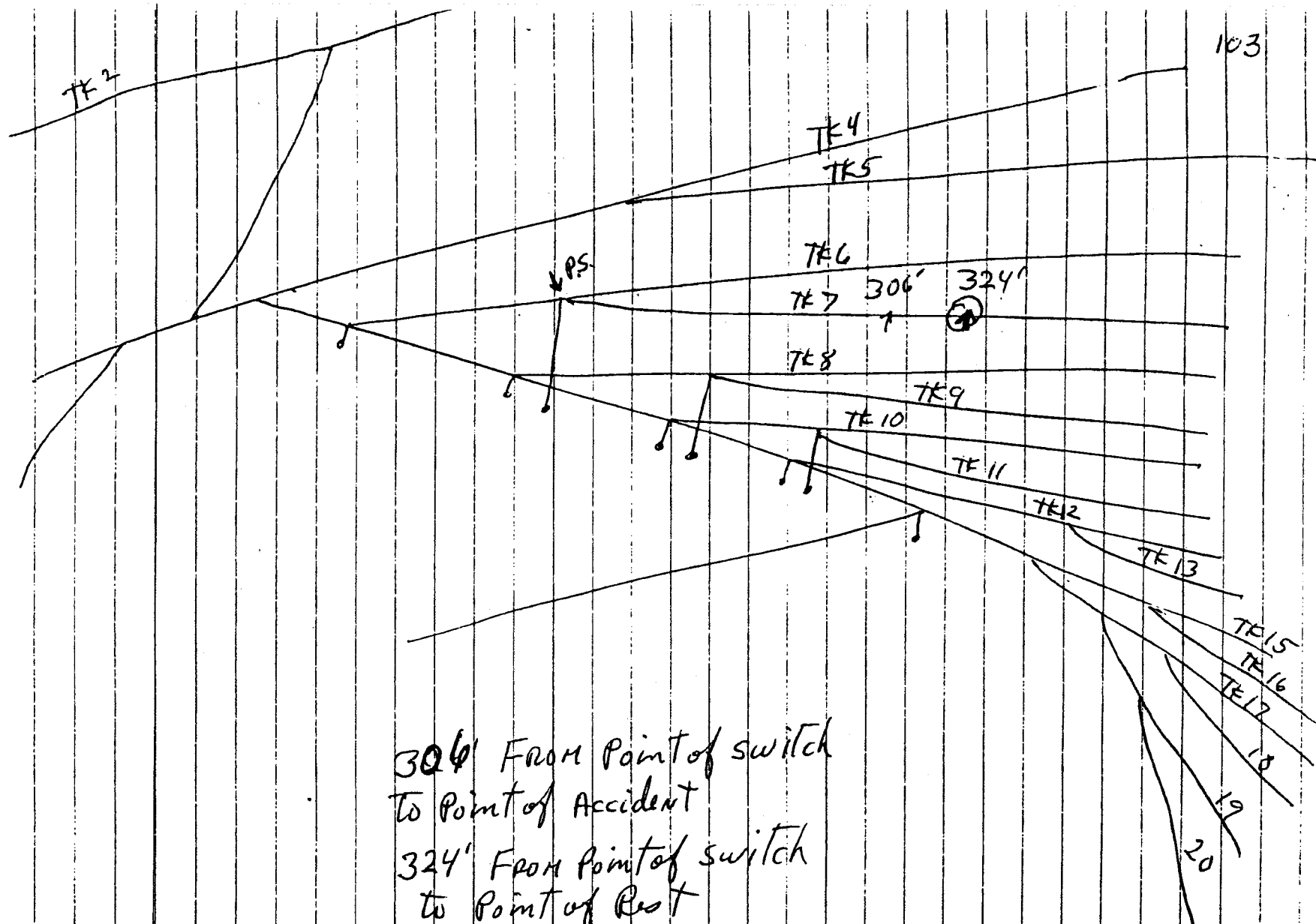
↑ NORTH

YD



- G = GLOVE — 141" FROM REST. Laying AGAINST NR.
 @ = GLASSES — 151" FROM REST — 14" FROM BASE OF NR EDGE OF TIE
 R = RADIO — 159" FROM REST — 29" FROM BASE OF NR
 E = EYE LENSE — 217" FROM REST — 5" FROM BASE OF NR
 L = LANTERN — 276" FROM REST — 34" FROM BASE OF NR
 S = SWITCH LIST — 345" FROM REST — 71" FROM BASE OF NR

2/3/97



306 From Point of switch
to Point of Accident

324' From Point of switch
to Point of Rest

(Burns Harbor)

